

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

SARAH CONTE, JOANNE TOUCHBERRY,	)	CASE NO. 5:21-CV-00190-D
TEKISHA L. NICHOLSON, TOBY)	
BELIVEAU, ALEXANDER CARLISLE, and	)	<u>CLASS ACTION</u>
EARLENE N. HUNTER, Individually and on)	
Behalf of the WakeMed 403(b) Plan and All)	
Others Similarly Situated,	)	PLAINTIFFS' MOTION FOR FINAL
	)	APPROVAL OF CLASS ACTION
Plaintiffs,	)	SETTLEMENT AND APPROVAL OF PLAN
	)	OF ALLOCATION AND LEAD
vs.	)	COUNSEL'S APPLICATION FOR AN
	)	AWARD OF ATTORNEYS' FEES AND
WAKEMED,	)	EXPENSES AND SERVICE AWARDS FOR
	)	PLAINTIFFS
Defendant.)	
)	
)	

On January 10, 2022, at 1:00 p.m., before the Honorable James C. Dever III, Plaintiffs Sarah Conte, Joanne Touchberry, Tekisha L. Nicholson, Toby Beliveau, Alexander Carlisle and Earlene N. Hunter (“Plaintiffs”) will and hereby do move this Court pursuant to Federal Rule of Civil Procedure 23 for orders granting final approval of the proposed settlement of the above-captioned class action and approval of the proposed plan for allocating the settlement proceeds. Lead Counsel will also move this Court for an order awarding the requested attorneys’ fees and expenses and service awards for Plaintiffs.

This motion is based on the supporting memorandum, the Declaration of Evan J. Kaufman in Support of Final Approval of Class Action Settlement, Approval of Plan of Allocation, and an Award of Attorneys’ Fees, Expenses, and Service Awards, the Declarations of Plaintiffs, the Declarations of Plaintiffs’ Counsel, the papers and filings on record in this matter, and such additional evidence or argument as may be presented at the hearing.

Proposed orders will be submitted with Plaintiffs’ reply submission after the deadline for requesting exclusion and objecting has passed.

DATED: December 1, 2021

Respectfully submitted,

/s/ Brian L. Kinsley

BRIAN L. KINSLEY

CRUMLEY ROBERTS
BRIAN L. KINSLEY
2400 Freeman Mill Road, Suite 200
Greensboro, NC 27406
Telephone: 336/333-9899
336/333-9894 (fax)
blkinsley@crumleyroberts.com

Local Counsel

ROBBINS GELLER RUDMAN
& DOWD LLP
SAMUEL H. RUDMAN
EVAN J. KAUFMAN
SARAH E. DELANEY
58 South Service Road, Suite 200
Melville, NY 11747
Telephone: 631/367-7100
631/367-1173 (fax)
srudman@rgrdlaw.com
ekaufman@rgrdlaw.com
sdelaney@rgrdlaw.com

ROBBINS GELLER RUDMAN
& DOWD LLP
THEODORE J. PINTAR
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)
tedp@rgrdlaw.com

Counsel for Plaintiffs

CAPOZZI ADLER, P.C.
MARK K. GYANDOH
GABRIELLE KELERCHIAN
312 Old Lancaster Road
Merion Station, PA 19066
Telephone: 610/890-0200
717/233-4103 (fax)
markg@capozziadler.com
gabriellek@capozziadler.com

CAPOZZI ADLER, P.C.
DONALD R. REAVEY
2933 North Front Street
Harrisburg, PA 17110
Telephone: 717/233-4101
717/233-4103 (fax)
donr@capozziadler.com

Additional Counsel